IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 218 OF 1999

Mr.M.K.Sharma & Ors. ...Petitioners
V/s.
Mr.S.G. Kamat & Anr. ...Respondents

Mr.M.M.Vashi with Mr.Virag V. Vashi for Petitioners.
Smt.Meena H. Doshi for Respondent No.1.
Ms.M.M. Deshmukh, APP for State.

WITH

CRIMINAL WRIT PETITION NO. 219 OF 1999

Mr.M.K.Sharma & Ors. ...Petitioners
V/s.
Mr.P. Srinivas Hande & Anr. ...Respondents

Mr.M.M.Vashi with Mr.Virag V. Vashi for Petitioners.
Smt.Meena H. Doshi for Respondent No.1.
Ms.M.M. Deshmukh, APP for State.

CORAM : V.M. KANADE, J.

DATED : JANUARY 18, 2006

P.C. :-

. The learned Counsel appearing on behalf of the petitioners has tendered the affidavit of the widow of the complaint in Criminal Writ Petition No.218/99 and of the complainant in Criminal Writ Petition No.219/99. Affidavits taken on record.

2. In both these petitions, the respondents have filed the complaint before the VII Labour Court and the process is issued against the petitioner on 22nd January, 1999. The complaint was filed under the provisions of the MRTU and PULP Act claiming certain amounts and certain consequential benefits. The affidavit states that after the complaint was filed, the entire amount which was due and payable to the complainant has been disbursed by the petitioners and therefore, the complaint does not survive.

3. Learned Counsel for respondent no.1 confirms the fact that of receipt of the amounts which were due and payable to the complainant. Learned Counsel for the respondents further submits that the amount has been disbursed pursuant to the settlement dated 9.12.2004.

4. In view of these affidavits, both the writ petitions are allowed in terms of prayer clause (a) and are disposed of accordingly.

(V.M. KANADE, J.)